

Title 174 - NEBRASKA DEPARTMENT OF HEALTH, BUREAU OF VITAL STATISTICS RULES  
AND REGULATIONS

Chapter 4 - REGULATIONS GOVERNING AMENDMENT OF MARRIAGE AND DISSOLUTION  
OF MARRIAGE RECORDS

001 SCOPE OF REGULATIONS. A marriage or dissolution of marriage record filed with the Bureau of Vital Statistics in the Department of Health may be amended only in accordance with the provisions of these Regulations. Amendment of incomplete or erroneous information on records of marriage or dissolution may be made upon presentation of the same kinds and numbers of documents required to amend birth and death certificates. A record of marriage or dissolution of marriage amended under these regulations shall have a properly dated reference placed on the face of the record and shall state that it is amended.

002 APPLICATION FOR AMENDMENT. Application for amendment of a marriage record must be made by the husband, wife, parent, guardian of either party, or by the county court required to file the record with the Bureau of Vital Statistics. Application for amendment of a dissolution of marriage record must be made by the petitioner, respondent, parent, guardian of either party, or by the clerk of the district court required to file the record with the Bureau of Vital Statistics. (Attachments 1 and 2)

003 AMENDMENT OF OBVIOUS ERRORS. Amendment of obvious errors, transposition of letters in words of common knowledge, or omissions on marriage or dissolution of marriage records may be made by the Bureau of Vital Statistics within the first year after the date of the event, either upon its own observation, upon query, or upon request of a person with a direct and tangible interest in the record. When such additions or minor amendments are made by the Bureau of Vital Statistics, a notation as to the source of the information, together with the date the change was made and the initials of the authorized agent making the change, shall be made on the reverse side of the record in such a way as not to become a part of the record. The record shall not be marked amended.

004 EVIDENCE REQUIRED. All other amendments to a marriage or dissolution of marriage record made during the first year unless otherwise provided in these Regulations shall be supported by (a) an affidavit setting forth information to identify the record, the incorrect data as it is placed on

the record, and the correct data as it should appear; and (b) one item of documentary evidence supporting the amendment. Records amended by this procedure shall be market amended.

005 APPLICATION FOR AMENDMENT - MADE AFTER A YEAR. Application for an amendment to a marriage or dissolution of marriage record made one year or more after the event, unless otherwise provided in these Regulations, shall be supported by (a) an affidavit setting forth information to identify the record, the incorrect data as it is listed on the record, and the correct data as it should appear; and (b) two or more items of documentary evidence which support the alleged facts and which were established at least five years prior to the data of application for amendment or within seven years of the date of the event.

006 EVALUATION OF EVIDENCE. The Bureau of Vital Statistics shall evaluate all evidence submitted for an amendment to a marriage or dissolution of marriage record and when it finds reason to question its validity or adequacy, it may reject the amendment and shall advise the applicant of the reasons for this action.

007 REQUIREMENTS FOR ADDITIONAL AMENDMENT. When an entry on a marriage or dissolution of marriage record has been amended, that entry shall not be amended again unless it can be shown that the first amendment was made through mistake.

008 METHOD OF AMENDMENT. Marriage or dissolution of marriage records shall be amended as provided in Chapter 10 of this Title, governing the method of amending certificates and reports.

009 FEES. The fees charged by the Bureau of Vital Statistics for the making of amendments to marriage or dissolution of marriage records shall be identical to those charged for the making of amendments to birth or death records

SOURCE: Sections 71-601 and 71-635 to 71-644

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TITLE 174, NEBRASKA ADMINISTRATIVE CODE, CHAPTER 4

NEBRASKA DEPARTMENT OF HEALTH

RULES AND REGULATIONS GOVERNING AMENDMENT OF  
MARRIAGE AND DISSOLUTION OF MARRIAGE RECORDS

